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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s) M. L. Obradovich et al.

Case 9800.1037

Serial No. 10/782,581

Examiner TBA

Filing Date February 19, 2004

Group Art Unit 3661

Title Multimedia Information and Control System for Automobiles

**PRELIMINARY AMENDMENT
AND INFORMATION DISCLOSURE STATEMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Alex L. Yip

Attorney Name


Signature

34,759

Registration No.

July 28, 2004

Date of Signature

**COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Sir:

Applicants submit herewith a Supplemental Information Disclosure Statement (IDS) by Applicant (1 page), listing additional references which are or may be material to the examination of the subject application. Copies of the additional references are enclosed. It is respectfully requested that they be made of record in the file history of the application.

Identification of references in the IDS is not to be construed as an admission by applicant or attorneys for applicants that such references are available as "prior art"

Serial No. 10/782,581

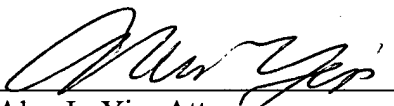
against the subject application. The right is reserved to antedate any listed reference in accordance with standard procedures.

In addition, applicants bring to the Examiner's attention Civil Action No. '04 CV 00614 DMS, which was brought by American Calcar Inc. against BMW of North America, LLC. before the United States District Court for the Southern District of California. This civil action is based on, among others, U.S. Patent No. 6,009,355 ("the '355 patent") issued on Application Serial No. 08/789,934 of which the present application claims priority. A copy of the cover page of the Complaint is enclosed for the PTO's records and file history of the present application. The names of the inventors of the '355 patent is Michael L. Obradovich, Michael L. Kent and John G. Dinkel. American Calcar Inc. is a Delaware corporation with its principal place of business at 1001 Avenida Pico C139, San Clemente, California. BMW of North America, LLC is a New Jersey limited liability company with its principal place of business at 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey.

The Commissioner is authorized to charge any required fee for filing this IDS to Deposit Account No. 50-0988.

Respectfully,

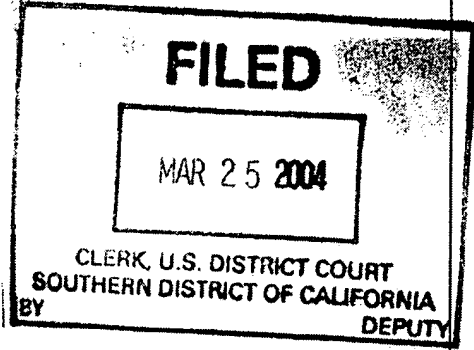
Michael L. Obradovich
Michael L. Kent
John G. Dinkel

By 
Alex L. Yip, Attorney
Reg. No. 34,759
212-836-7363

Date: July 28, 2004
Enclosures



BEST AVAILABLE COPY



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13
14 IN THE UNITED STATES DISTRICT COURT
15
16 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

17 AMERICAN CALCAR INC.,) Civil Action No.
18 a Delaware corporation,) '04 CV 00614 DMS (LSP)
19)
20 Plaintiff,) COMPLAINT FOR INFRINGEMENT
21) OF U.S. PATENT NOS. 6,009,355;
22 v.) 6,148,261; 6,275,231; 6,282,464;
23) 6,330,497; 6,438,465; 6,459,961;
24 BMW OF NORTH AMERICA, LLC,) 6,529,824; 6,542,795; 6,587,758;
25 a New Jersey limited liability company,) 6,587,759; 6,703,944
26)
27 Defendant.) DEMAND FOR JURY TRIAL
28)
)
)

19 Plaintiff AMERICAN CALCAR INC. hereby complains of Defendant BMW OF
20 NORTH AMERICA, LLC, and alleges as follows:

21 JURISDICTION AND VENUE

- 22 1. This action for patent infringement arises under the patent laws of the United
23 States, Title 35, United States Code, more particularly, 35 U.S.C. §§ 271 and 281.
- 24 2. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
- 25 3. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b).

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27 ///
28 ///



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/782,581
Filing Date	2/19/04
First Named Inventor	M. Obradovich
Art Unit	3661
Examiner Name	TBA
Attorney Docket Number	09800-1037

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,270,689	12/14/93	Hermann	
		US- 5,543,789	08/06/96	Behr et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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